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5 Attorneys for Plaintiff and  
 Counter-Defendant  
 6 PESTMASTER FRANCHISE  
 NETWORK, INC.

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 8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 PESTMASTER FRANCHISE  
 NETWORK, INC., a California  
 12 corporation,  
 Plaintiff and Counter-  
 13 Defendant,

14 v.

15 JINNY LYNN MATA, GABE  
 JOSEPH MATA, ECOSOURCE  
 16 PEST CONTROL, INC., JOSIE  
 MOSS, BRIAN MOSS, MOSS  
 17 PEST CONTROL, LLC,

18 Defendants,

19 AND RELATED  
 20 COUNTERCLAIM.

Case No. 16-cv-07268-EMC

**STIPULATION TO DISMISS WITH  
 PREJUDICE AND ~~[PROPOSED]~~  
 ORDER DISMISSING ALL CLAIMS  
 WITH PREJUDICE**

21 Plaintiff/Counter-Defendant Pestmaster Franchise Network, Inc., by and  
 22 through its attorneys of record, Jeffrey L. Fillerup of Rincon Law, LLP, on the one  
 23 hand, and Defendants Jinny Mata, Gabe Mata, Ecosource Pest Control, Inc., Josie  
 24 Moss, Brian Moss, AAAC Support Services, LLC, and Moss Pest Control, LLC and

1 Counterclaimants Jinny Mata and Gabe Mata, by and through their attorneys of  
2 record, Andrew R. Kislik of Nassiri & Jung LLP, on the other hand, hereby stipulate  
3 to the dismissal of the Complaint and Counterclaim in this case, as follows:

4 1. On January 24, 2017, Plaintiff Pestmaster Franchise Network, Inc.  
5 (“Pestmaster”) filed a First Amended Complaint in this case (Doc #11), which is  
6 referred to herein as “the Complaint”.

7 2. On May 25, 2017, Counterclaimants Jinny Mata and Gabe Mata filed a  
8 counterclaim against Pestmaster (Doc #41), which is referred to herein as “the  
9 Counterclaim”.

10 3. The parties participated in a mediation at ADR Services on July 24, 2017,  
11 and reached a tentative settlement of the case.

12 4. After the parties filed a stipulation to stay the case pending finalization  
13 of the settlement, this Court entered an order staying the case. (Doc #61)

14 5. The parties hereby stipulate that the settlement has now been finalized  
15 and all of the claims alleged in the case should be dismissed with prejudice, with each  
16 party to bear its own costs and attorney’s fees. Thus, the parties hereby stipulate to  
17 the entry of an order: (a) dismissing all of the claims alleged in the Complaint with  
18 prejudice; and (b) dismissing all of the claims alleged in the Counterclaim with  
19 prejudice.

20 6. The parties also stipulate that once the claims alleged in the Complaint  
21 and in the Counterclaim are dismissed with prejudice, then all of the claims in this  
22 case will have been dismissed and there will be no remaining claims in this case to be  
23 adjudicated.

24 ///

1 DATED: November 20, 2017

RINCON LAW LLP

2 By: /s/ Jeffrey L. Fillerup

3 Jeffrey L. Fillerup  
4 Attorneys for Plaintiff and Counterclaim-  
5 Defendant Pestmaster Franchise Network,  
6 Inc.

7 DATED: November 20, 2017

NASSIRI & JUNG LLP

8 By: /s/ Andrew R. Kislik

9 Andrew R. Kislik  
10 Attorneys for Defendants Jinny Mata, Gabe  
11 Mata, Ecosource Pest Control, Inc., Josie  
12 Moss, Brian Moss, AAAC Support Services,  
13 LLC, and Moss Pest Control, LLC, and  
14 Counterclaimants Jinny Mata and Gabe  
15 Mata

14 **ORDER DISMISSING ALL CLAIMS WITH PREJUDICE**

15 Based on the parties' settlement and the foregoing stipulation, and for good  
16 cause appearing, IT IS HEREBY ORDERED, as follows:

- 17 1. The claims alleged in the Complaint are dismissed with prejudice;
- 18 2. The claims alleged in the Counterclaim are dismissed with prejudice;
- 19 3. There are no other or remaining claims to be adjudicated in this case; and
- 20 4. Each party shall bear its own costs and attorney's fees.

22 DATED: 12/6/17

23 HON. EDWARD M. CHEN  
24 UNITED STATES DISTRICT JUDGE

